

**Building Codes and Standards Office
Florida Building Commission
Programs and Business Functions**

Business Functions Administered jointly by the Building Codes and Standards Office and the Florida Building Commission:

The Florida Building Commission “the Commission”. The Commission consists of a twenty-five (25) member technical body responsible for the development, maintenance, and interpretation of the Florida Building Code “FBC” through a consensus-building process. The Chair is appointed by the Governor, subject to confirmation by the Senate, and serves at the pleasure of the Governor. Other Commission members appointed by the Governor represent architects, engineers, contractors, building owners, insurance, public education, local governments, building and fire officials, and persons with disabilities.

Specific role of the Commission:

- Develop and maintain the unified Florida Building Code in accordance with the latest national model building codes and Florida-specific needs.
- Update the Florida Building Code every three years.
- Issue declaratory statements relating to the enforcement or administration of the Code by local governments.
- Hear appeals of local boards of appeal regarding interpretation of decisions by local building officials.
- Work with the State Fire Marshal to ensure consistency between the Florida Building Code and the Florida Fire Prevention Code
- Work with the Florida Fire Code Advisory Council to provide assistance and recommendations relating to fire safety interpretations.
- Approve products for statewide acceptance.
- Administer the Building Code Training Program.
- Fund technical research for enhancement of the wind, water intrusion and hurricane protection provisions of the FBC.
- Issue accessibility waivers.
- Coordinate with other state agencies with building construction related responsibilities.
- Study of the Florida Building Code and related laws on triennial basis and report findings and recommendations to the Legislature for provisions of law that should be changed.
- Monitor the building code system and determine refinements needed to enhance the system.
- Implement Legislative assignments including Energy Code enhancements, wind protection, and revising specific Building Code provisions that require

the Commission to implement through rule development to the Florida Building Code and the Product Approval Rule.

- Work closely with stakeholders through a facilitated process to obtain consensus-based recommendations and Commission decisions.

In addition to the twenty-five (25) Commission members stated above, the Commission is assisted by specialized technical advisory groups that include nine (9) Technical Advisory Committees, two (2) Program Oversight Committees and several Workgroups. The structure and the main objectives of these technical groups are as follows:

Advisory Committees

Technical Advisory Committees (TACs) are standing committees organized for expertise in specific technical areas of the Code that include members of the Commission and other interested parties and that advise the Commission on Florida Building Code technical issues. Committee membership is balanced to represent the interests of consumers, producers and a general interest category in conformance with ANSI consensus standards committee membership. The following are the list of the current TACs:

Accessibility TAC
Building Code Administration TAC
Structural TAC
Electrical TAC
Energy TAC
Mechanical TAC
Plumbing TAC
Roofing TAC
Special Occupancy TAC

Program Oversight Committees “POCs are standing committees comprised of members of the Florida Building Commission to provide oversight for Commission programs assigned by the Legislature. The current POCs are responsible for the oversight of the State Product Approval Program and the Accreditation/Education Program.

The Hurricane Research Advisory Committee “HRAC” is a standing Committee that convenes as needed to review research and make recommendation to the Commission regarding proposed code amendments designed to enhance the performance of Florida buildings during hurricanes.

Workgroups are appointed by the Chairman as needed to study special issues and present findings and recommendations to an appropriate standing committee. Normally, most substantive issues before the Commission go through the workgroup process to expand stakeholder opportunities participation and input during the development of consensus recommendations.

The Accessibility Advisory Council consists of seven members, appointed by the Secretary of the Department of Community Affairs, who are knowledgeable in the area of accessibility for persons with disabilities. The Council makes recommendations to the Florida Building Commission regarding waiver applications from the Florida-specific accessibility requirements.

Florida Building Commission – meetings.

The Commission meets every eight (8) weeks at different locations throughout the state. The following staff support/tasks are required for each meeting:

- Develop and maintain a workplan for the Commission.
- Draft the Commission agenda through coordination with the Chair.
- Coordinate meeting logistics, including meeting facilities for the meeting.
- Process travel authorization and reimbursement for Commission and Council members.
- Develop/compile support documentation for agenda issues.
- Upload/post the Commission agenda on the Building Code Information System (BCIS).
- Notice meetings and distribute meeting information to interest groups via mass email.
- Staff and provide technical support on agenda issues.
- Staff and provide technical support to Commission's TACs, HRAC, and Workgroups (develop agendas for meetings; provide technical analysis and technical documentation of complex code issues).
- Staff the Accessibility Advisory Council meetings (develop meeting agenda and provide waiver application analysis).
- Monitor technical research contracts.
- Provide administrative, technical and legal support, including budgets.

The Florida Building Code (the FBC) replaced Florida's patchwork of codes and regulations in 2001 that were developed, amended, administered and enforced by more than 400 local jurisdictions and state agencies with building code regulation authorities. The current Code is a single statewide code based on national model codes and consensus standards, amended for Florida specific needs, for the design and construction of buildings. The Code is designed to make the local building process more efficient, increase accountability, bring new and safer products to the market, increase consumer confidence, and better protect the residents of this natural-disaster prone state. As mandated by law, the Commission is responsible for adopting and updating the Florida Building Code every three years, and interpreting the code to maintain consistency throughout the state. Florida code amendment proposals come primarily from the public with some proposals developed by the Commission in special projects such as response to the 2004 and 2005 hurricanes.

Staff support/tasks:

- Plan and manage the code update process (develop draft updates, compile proposed changes from interest groups, present proposed changes to the TACs and the Commission, and coordinate review and edit publication of the Code).
- Provide technical assistance on the Code to consumers and local governments.

The Product Approval System (PAS) provides an optional statewide approval for seven identified building envelop and structural frame products (panel walls, exterior doors, roofing products, skylights, windows, shutters, structural components) that are intended to be replicated during the manufacturing process.

The Product Approval System, in coordination with the Florida Building Code, ensures safe product technologies are used in building construction and encourages development of new products and technologies that increase safety or meet safety requirements less expensively. Since the system went into effect in October 2003, the Commission has approved 9,579 product applications and 40,905 products for statewide use. The Florida Product Approval System is a database module of the Building Code Information System (BCIS), which includes a website for submittal of applications, payment of fees for entity approvals and state product approvals. To provide a constructive product application review and monitoring, the Commission contracted with a private entity “Administrator”, to process entity and product applications.

Staff support/tasks:

- Manage the contract for administering the State Product Approval Program.
- Provide technical assistance to consumers and local governments.
- Staff the PA POC (develop agendas meetings; provide technical analysis and technical documentation on issues before the POC).
- Provide technical assistance to the Program Administrator, manufacturers and entities involved in the PA program.

Florida Accessibility Code for Building Construction is specifically authorized by Florida statute and required to be maintained for consistency with the federal Americans with Disabilities Act Accessibility Standards to ensure continued federal certification as equivalent to the ADA requirements. Certification provides building owners complying with Florida's Code a limitation of liability for compliance with the federal civil rights law. The US Department of Justice completed the first update to the ADA Accessibility Guidelines, September 15, 2010, and the Commission is in the process of updating the code to submit for recertification before the full implementation date of the federal standards on March 15, 2012. Updating this code will require amending Rule 9B-7, Florida Administrative Code, and Part II, chapter 553, Florida Statutes.

Staff support/task:

- Provide technical assistance on the Code to building designers, building owners and local governments.
- Update the Code to the latest Federal ADA and national standards

The Florida Energy Code is a statewide minimum code geared to Florida's climate with strong ties to the International Energy Conservation Code and the ASHRAE Standard 90.1. It covers the building envelope and the mechanical systems that provide heating, cooling and hot water. It has won national awards for energy innovation. It was a stand-alone code until 2001, when it became part of the Florida Building Code. The latest edition of the International Energy Conservation Code (IECC) was used as the foundation document, with Florida specifics maintained to make the code more stringent over time. The changes implemented in the 2010 Florida Building Code will result in 20 percent more stringent requirements than those in effect under the 2007 Code.

Staff support/tasks:

- Provide technical assistance on the Code to consumers, industry and local governments.
- Update the Code for consistency with national standards and foundation codes.
- Update rule for adoption of latest edition of the Energy Code.
- Review research and technical publications on energy necessary to keep up with new technologies.

The Building Code Information System (BCIS), www.floridabuilding.org, is a multi-functional database that provides building professionals, general public, local governments, businesses, and manufacturers with a single-point access to the business functions of the Florida Building Commission and the Manufactured Building Program. The application and approval processes authorized by the various program statutes and rules are implemented via the BCIS.

The BCIS has both general users and registered users. General users have access to all information available to the public without registration. Registered users require approval or certification by the Commission or Department to perform a specific function in accordance with Chapter 120, Florida Statutes, or information exempt from public record. The BCIS manages the format and flow of information required for processing applications, triennial and glitch code modifications and fee collection. The following is a list of Programs and functions managed via the BCIS:

- Florida Building Commission Agenda/Minutes, central point of communication.
- Florida Building Code - purchase books and view the code online
- Proposed triennial and glitch code modifications to the Florida Building Code
- Manufactured Building Program, including storage sheds and factory-built school buildings
- Product Approval System
- Advance Course Accreditation
- Accessibility Waivers
- Local code amendments
- Declaratory Statements
- Binding Interpretations
- Non-binding Interpretations
- Interested parties list.
- Building surcharge, Product Approval, and Manufactured Building fee collection, including split payments between FBC/Contractor
- Mass e-mails to interested parties list
- Florida Building Commission publications, reports, etc.

Building Code Compliance and Mitigation Program (BCCMP). This Program includes specific responsibilities and authorities for the Department of Community Affairs and the Florida Building Commission.

The Department of Community Affairs administers the BCCMP to develop, coordinate and maintain education and outreach to persons required to comply with the Florida Building Code and ensure consistent education, training, and communication of the codes requirements, including methods of mitigation of storm-related damage. Department staff manages the BCCMP contract, which requires:

- A clearinghouse for design, construction, and building code enforcement licensees, suppliers and consumers can obtain/exchange information relating to mitigation and facilitate repairs in the aftermath of a natural disaster.

- Serve as the clearinghouse to develop and deliver building code-related education, training and outreach throughout the state.
- Promote design and construction techniques and materials for mitigating hurricane damage at Florida-based trade conferences.

The Florida Building Commission has established a process to provide for the accreditation of courses related to the Florida Building Code via approved accreditors. The following process is used for course accreditation:

- Accreditor is approved by the Commission to review courses in specific code categories, based on expertise, experience, and education.
- Private providers, approved by the Department of Business and Professional Regulation, submit the course through the BCIS for review.
- Accreditor reviews the course for compliance with the Florida Building Code.
- Upon approval, the accredited course is submitted to the Education Program Oversight Committee for recommendation to the Florida Building Commission.
- If approved by the Florida Building Commission, course is submitted to the Department of Business and Professional Regulation for approval as an advance course.

Business Functions Administered Only by the Building Codes and Standards Office:

The Manufactured (Modular) Building Program (MBP). The MBP insures structures built in a manufacturing facility are in compliance with the Florida Building Code. The MBP uses approved private entities licensed by the Department of Business and Professional Regulation to conduct plan review and inspections. Although the MBP is a Department program, the business functions are integrated into the BCIS. The Department uses the BCIS to provide oversight of the administrative and technical functions provided by private entities:

1. Manufacturer certification/renewal
2. Plan Review and Inspection Agency certification/renewal
3. Florida Building Code compliance monitoring, including onsite review and random audit of Agency approved plans and Quality Control manuals
4. Factory-built school building plan review
5. Insignia order and issuance

BUILDING ENERGY RATING SYSTEM (BERS). The Florida Building Energy-Efficiency Rating Act requires the Department of Community Affairs to provide a statewide uniform system for rating the energy efficiency of buildings. Florida statute requires that BERS ratings meet national standards for energy ratings and be updated in Florida's energy code within six months of a code change.

The Florida Solar Energy Center (FSEC), under a no-cost Memorandum of Understanding, administers this program. Rule 9B-60, F.A.C implements the program to certify individuals meeting the criteria for BERS raters. Brochures that describe the program and the advantages of obtaining a BERS rating are provided to realtors and developers for dissemination to prospective purchasers.

The national standard for home energy ratings is the Mortgage Industry National Home Energy Rating Systems Accreditation Standards, promulgated by the National Association of State Energy Officials (NASEO)/Residential Energy Services Network (RESNET). In general, FSEC tracks national RESNET changes and provides input to the Department when Rule 9B-60, F.A.C., requires revision.

Certification of Raters

Energy raters are trained and tested by the Florida Solar Energy Center (FSEC). FSEC provides the Department notification of approved certification and the Department issues a certificate to the individual. FSEC also maintains a database of certified ratings to provide notification regarding renewal requirements and other information.

Staff support/tasks:

- Manage the State Contract for administering the BERS Program.
- Update the BERS rule for consistency with national standards.
- Provide technical assistance to consumers regarding the rule.
- Review the current regulations, rules and business functions of the BERS and determine whether improvement /changes to the program are needed.

Surcharge Fees. The Department collects a 1.5 percent or minimum \$2.00 surcharge on the permit fees associated with the enforcement of the Florida Building Code. The fees are collected by 400 jurisdictions and electronically submitted to the Department via the Building Code Information System. Staff is responsible for reviewing the deposit transmittal received from Treasury, reconciling with Bank of America records, and providing Treasury a breakdown of deposits credited to each program.